

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

751M0527

## HOUSE BILL NO. 1205

Introduced by: Representatives Deadrick, Cutler, Gillespie, Haley, Michels, and O'Brien and  
Senators Gray, Bogue, Knudson, Koetzle, and Schoenbeck

1 FOR AN ACT ENTITLED, An Act to provide for an exemption to the records search fee for  
2 attorneys of record.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 16-2-29.5 be amended to read as follows:

5 16-2-29.5. The clerk of court shall charge a records search fee in the amount of fifteen  
6 dollars for each record search conducted if the search is requested by a person who is not a party  
7 named in the action for which the search is being requested. The clerk shall charge a fee of five  
8 dollars if the requesting party certifies that the search is being requested in conjunction with a  
9 pending state or federal cause of action. A separate fee shall be charged for each name, whether  
10 individual or corporate, for which a search is requested. The clerk shall deposit the fee in  
11 accordance with § 16-2-43. The clerk may not charge a records search fee if the search is  
12 requested by an attorney of record or any member of the attorney of record's law firm or staff,  
13 and the search is for a file pertaining to an action or proceeding filed by the attorney in the office  
14 of the clerk.

